



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Agriculture

- ☒ Preproposal Statement of Inquiry was filed as WSR 05-13-167; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR _____
☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) This proposal amends WAC 16-752-505 (Wetland and Aquatic Weed Quarantine - Regulated Articles) by adding *Glyceria maxima* to the list of aquatic plants prohibited from sale in Washington State.

Hearing location(s):

Washington State Dept. of Agriculture
1111 Washington Street SE
Natural Resource Building - 2nd Floor
Conference Room 205
Olympia, WA 98504-2560

Date: September 27, 2005 Time: 10:00 AM

Submit written comments to:

Name: Henri Gonzales

Address: PO Box 42560, Olympia, WA 98504-2560

E-mail: hgonzales@agr.wa.gov

Fax: (360) 902-2094 by September 27, 2005

Assistance for persons with disabilities: Contact

Henri Gonzales by September 20, 2005

TTY (360) 902-2061 or () _____

Date of intended adoption: October 11, 2005

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This proposal adds *Glyceria maxima* to the current wetland and aquatic weed quarantine (WAC 16-752-505). The purpose of enacting this and other quarantines is to prevent the establishment and spread of harmful non-native species. Once established, they can have a serious impact on Washington's natural resources by displacing native species, altering habitat, reducing recreational use of waterways, and impacting agricultural production.

Reasons supporting proposal: The intrusion into this state of non-native, invasive weed species continues to be a concern. The spread of these weeds presents a risk to the economic well being of the agricultural, forest, horticultural, and floricultural industries, and the environmental quality and natural resources of the state. Initiating quarantines forbidding entry or distribution of weed species may be critical for their exclusion or control. The Washington Noxious Weed Control Board, as authorized by chapter 17.10 RCW, supports this proposal. The Nursery Advisory Committee, which is appointed by the director of the Department of Agriculture to represent the interests of the nursery industry, also supports the proposal.

Statutory authority for adoption: Chapters 17.24 and 34.05 RCW

Statute being implemented: Chapter 17.24 RCW

Is rule necessary because of a:

Federal Law?

Federal Court Decision?

State Court Decision?

If yes, CITATION:

- | | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

DATE

August 24, 2005

NAME (type or print)

Mary A. Martin Toohey

SIGNATURE

TITLE

Assistant Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

AUG 24 2005

TIME

WSR

1134
05-17-206
AM
PM

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Washington State Department of Agriculture

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Mary Toohey	1111 Washington Street, Olympia, Washington 98504-2560	(360) 902-1907
Implementation.... Tom Wessels	1111 Washington Street, Olympia, Washington 98504-2560	(360) 902-1984
Enforcement..... Tom Wessels	1111 Washington Street, Olympia, Washington 98504-2560	(360) 902-1984

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

RCW 19.85.030(1)(a) requires that an agency must prepare a small business economic impact statement (SBEIS) for proposed rules that impose a more than minor cost on businesses in an industry. The department has analyzed the economic impact of the proposed rule amendment and has concluded that it will not have a more than minor cost on the regulated industry and, therefore, a SBEIS is not required. If the department does not adopt the proposed amendments, there could be a very large adverse economic impact on Washington State industry, government and citizens as well as serious damage to the environment

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: The Washington State Department of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i).

AMENDATORY SECTION (Amending WSR 04-19-004, filed 9/2/04, effective 10/3/04)

WAC 16-752-505 Wetland and aquatic weed quarantine--Regulated articles. All plants and plant parts of the following are regulated articles under this chapter:

Scientific Name	Common Name
<i>Butomus umbelatus</i>	flowering rush
<i>Cabomba caroliniana</i>	fanwort
<i>Crassula helmsii</i>	Australian swamp stonecrop
<i>Egeria densa</i>	Brazilian elodea
<i>Epilobium hirsutum</i>	hairy willow herb
<i>Glossostigma diandrum</i>	mud mat
<u><i>Glyceria maxima</i></u>	<u>reed sweetgrass, tall</u> <u>manna grass</u>
<i>Hydrilla verticillata</i>	hydrilla
<i>Hydrocharis morsus-ranae</i>	European frog-bit
<i>Lagarosiphon major</i>	African elodea
<i>Ludwigia hexapetala</i>	water primrose
<i>Lysimachia vulgaris</i>	garden loosestrife
<i>Murdannia keisak</i>	marsh dew flower, Asian spiderwort
<i>Myriophyllum aquaticum</i>	parrotfeather
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil
<i>Najas minor</i>	slender-leaved naiad, brittle naiad
<i>Nymphoides peltata</i>	yellow floating heart
<i>Sagittaria graminea</i>	grass-leaved arrowhead
<i>Sagittaria platyphylla</i>	delta arrowhead
<i>Spartina alterniflora</i>	smooth cordgrass
<i>Spartina anglica</i>	common cordgrass
<i>Spartina densiflora</i>	dense-flowered cordgrass
<i>Spartina patens</i>	salt meadow cordgrass
<i>Trapa natans</i>	water chestnut, bull nut
<i>Trapa bicornus</i>	water caltrap, devil's pod, bat nut
<i>Utricularia inflata</i>	swollen bladderwort